

SHER TREMONTE LLP

April 4, 2024

BY ECF

MEMO ENDORSED

The Honorable Jessica G. L. Clarke
United States District Court
Southern District of New York
500 Pearl Street
New York, NY 10007

**Re: *United States v. Javaughn Horton and Markel Eure*, S1 23 Cr. 526
(JGLC)**

Dear Judge Clarke:

Defendant Eure respectfully writes on behalf of himself and Defendant Horton to request a two-week adjournment of the pending schedule for the filing of any pretrial motions. As the Court is aware, the parties are engaged in discussions regarding potential pretrial dispositions, and the requested adjournment will permit the parties to potentially reach such dispositions before Defendants need file any motions.

The Court previously granted an extension of the deadlines on March 20, 2024. (ECF No. 28.) As currently scheduled, Defendants' motions are due by April 5, 2024, the Government's responses are due by April 26, 2024, and Defendants' replies are due by May 10, 2024. The next conference is scheduled for May 23, 2024.

Defendants respectfully request that their motion deadline be extended to April 19, 2024, the Government's response deadline be extended to May 10, 2024, and the reply deadline extended to May 24, 2024. Defendants also ask that the Court adjourn the May 23, 2024 conference to any date following completion of this briefing schedule that is convenient for the Court. To the extent that the Court grants this request, Defendants consent to any exclusion of time under Title 18, United States Code, Section 3161(h)(7)(a) until the date of the next conference because such an exclusion will permit the parties to continue to discuss pretrial disposition.

Defendants have conferred with the Government, which does not oppose this request.

We appreciate the Court's consideration.

Respectfully submitted,

Hon. Jessica G. L. Clarke

April 4, 2024

Page 2 of 2

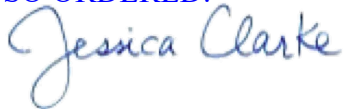
/s/ Michael Tremonte

Michael Tremonte

cc: AUSA Brandon Harper (via ECF)
Russell Capone (via ECF)

Application GRANTED. The defense pretrial motions deadlines are EXTENDED as followed: Defendant's motion(s), if any, shall be by April 19, 2024, Government's responses shall be filed by May 10, 2024. Defendant's reply shall be filed by May 24, 2024. The status conference scheduled for May 23, 2024 is ADJOURNED to June 10, 2024 at 11:00 a.m. in Courtroom 20C, 500 Pearl Street, New York, New York. The Court finds that the ends of justice served by excluding the time between May 23, 2024 and June 10, 2024, outweigh the best interests of the public and the Defendant in a speedy trial as provided in 18 U.S.C. § 3161(h)(7)(A) because, among other things, the parties are presently engaged in discussions regarding a potential disposition of this matter and the exclusion would allow for those discussions to continue. It is hereby ORDERED that the time between May 23, 2024 and June 10, 2024, is excluded. The Clerk of Court is respectfully directed to terminate the letter motion at ECF No. 29.

SO ORDERED.



JESSICA G. L. CLARKE
United States District Judge

Dated: April 5, 2024
New York, New York